

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of Docket No: Q84094
Ken YOSHIZUKA, et al. Allowed: October 25, 2007
Appln. No.: 10/510,979 Group Art Unit: 2852
Confirmation No.: 8751 Examiner: Susan Shuk Yin LEE
Filed: June 14, 2005

For: IMAGE FORMATION DEVICE, DEVELOPMENT UNIT, AND COMPUTER SYSTEM

COMMENTS ON EXAMINER'S STATEMENT OF REASONS FOR ALLOWANCE

MAIL STOP ISSUE FEE

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant offers the following comments in response to the Examiner's Statement of Reasons for Allowance set forth on pages 2-4 of the Notice of Allowability dated October 25, 2007.

The Reasons for Allowance merely loosely paraphrase selected recitations of claims 1-24 and 26-51, and therefore do not accurately restate the claimed invention. MPEP §1302.13 requires that “[w]here specific reasons are recorded by the examiner, care must be taken to ensure that statements of reasons for allowance (or indication of allowable subject matter) are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims.” Accordingly, since the Reasons for Allowance set forth on page 3, of the 07/17/06 Office Action comprise inaccurate paraphrasing, Applicant maintains that the legal scope of the present invention is defined only by the recitations of the allowed claims themselves and not by

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the Examiner's paraphrasing. Thus, the Examiner's Reasons for Allowance should not be construed to place unwarranted interpretations upon the claims.

Further, Applicants notes that independent reasons, other than those cited by the Examiner, exist for the allowability of claims 1-24 and 26-51.

Patent Office personnel are requested to note that the present submission does not adversely affect the patent term adjustment accrued by the Applicant to date. As emphasized in the "Clarification of 37 C.F.R. §1.704(c)(10) – Reduction of Patent Term Adjustment for Certain Types of Papers Filed After a Notice of Allowance Has Been Mailed," 1247OG111 (6/26/01), "a response to the examiner's reasons for allowance" is an example of a paper that does "not cause substantial interference and delay in the patent issue process" and is "not considered a 'failure to engage in reasonable efforts' to conclude processing or examination of the application." Therefore, the Applicant remains entitled to the full patent term adjustment set forth on page 3 of the Notice of Allowance dated October 25, 2007.

Respectfully submitted,

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